

1043.40721X00
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Michael C. CHAFFEE et al
Serial No.: To Be Assigned
Filed: November 27, 2001
(Concurrently Herewith)
For: SYSTEM CONTROLLING EXCLUSIVE ACCESS
BY CONTROL PROGRAMS TO SYSTEM RESOURCES
Group: To Be Assigned
Examiner: To Be Assigned



INFORMATION DISCLOSURE STATEMENT

The following United States patents were considered during the preparation of the above-referenced patent application:

U.S. Patents 5,150,026
5,150,452
5,227,707
5,247,608
5,347,459
5,561,742
5,570,285
5,798,627
5,999,881
6,004,016
6,049,756
6,212,444

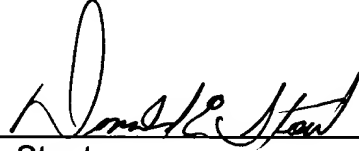
Copies are submitted herewith.

These patents have been commented upon in the specification to the degree that they are believed to be relevant to patentability. However, it is specifically requested that the Examiner independently consider each and every

one of them and make them of record in the file with the PTO Form 1449
enclosed herewith.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

A handwritten signature in black ink, appearing to read "Donald E. Stout", is written over a horizontal line.

Donald E. Stout
Registration No. 26,422

Enclosures

DES:dlh

Title 37, Code of Federal Regulations, Section 1.56
Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
- (1) Each inventor named in the application;
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

FORM PTO-1449 U.S. Department of Commerce (Rev. 4/92) Patent and Trademark Office INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	ATTY. DOCKET NO. 1043.40721X00	SERIAL NO. To Be Assigned
	APPLICANT Michael C. CHAFFEE et al	
	FILING DATE November 27, 2001	GROUP To Be Assigned

09/19/93
 11/27/01
 1043.40721X00

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLAS S	SUBCLA SS	FILING DATE IF APPROPRIATE
	6 2 1 2 4 4 4	4/2/01	KATO et al	700	255	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER							DATE	COUNTRY	CLAS S	SUBCLA SS	TRANSLATION	
													YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation is considered, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.